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- In the Legislature

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Joel Wulf, DEA  
Legislative Liaison  
[joel.wulf@iowa.gov](mailto:joel.wulf@iowa.gov)

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Visit the Iowa  
Department of Elder  
Affairs online at  
[www.state.ia.us/elder  
affairs](http://www.state.ia.us/elderaffairs)

## **Under the Dome**

On Tuesday, January 24<sup>th</sup>, the department presented information related to Iowa's Case Management Program for Frail Elders (CMPFE) to both the Senate and House Human Resource Standing Committees. The presentation is available under "What's New at DEA" at:

[www.state.ia.us/elderaffairs/](http://www.state.ia.us/elderaffairs/)

On Thursday, January 26<sup>th</sup>, the department presented information related to its overall budget to the Health and Human Services Joint Appropriations Sub-Committee. The presentation is available under "What's New at DEA" at:

[www.state.ia.us/elderaffairs/](http://www.state.ia.us/elderaffairs/)

The focus of the presentations overall was the department's request for three million dollars to include ongoing case management a reimbursed service under the Title XIX HCBS Elderly Waiver (Medicaid for those living in community settings). Iowa is the only state in the nation that does not reimburse for ongoing case management services to its elders and one of two states that does not draw down federal matching dollars as well. This means that the three million dollars requested would sustain a program that has a rapidly deteriorating infrastructure.

## **What is the Case Management Program for Frail Elders?**

The CMPFE program has been providing services to Iowans age 60 and older for over 18 years. CMPFE is a program of the Department of Elder Affairs, and is administered at the local level by Iowa's Area Agencies on Aging who partner with provider and service agencies to create a support network that is vital to keeping frail and vulnerable older adults in their existing homes and communities.

CMPFE is a cost containment program. Last year, the program served 13,164 elder Iowans, all of whom qualified for institutionalization, but were able to remain in their own homes and communities through the provision of services delivered to them in their homes. On average, there are 9,463 active clients per month, 75.5% of whom are Medicaid recipients. *If these individuals were to be institutionalized, it is projected that an additional 22 million dollars a month would be necessary in Medicaid expenditures.*

Please see the departments presentations for additional information.

## What is the Problem?

CMPFE was started as a demonstration program and it was not until 1999 that the program reached all 99 Iowa Counties. The appropriation to the program has never been based on cost, which means the existing system is dependent upon donated time and services as well as limited financial resources. The estimated value of the donated case management time per client per month is estimated at \$34.29. Actual expenditures are \$44.93 per client per month, for a total of \$79.32. Both area agencies on aging and their community partners are no longer able to sustain the cost of donated services.

Check out the proposed CMPFE Administrative Rules online:

[www.legis.state.ia.us/Rules/Current/Bulletin/IAB060104.htm](http://www.legis.state.ia.us/Rules/Current/Bulletin/IAB060104.htm)

## What Solution has the Governor and the Department of Elder Affairs Proposed?

The DEA has proposed that like 48 of the 50 states, Iowa recognize case management as a reimbursable service under the states Title XIX HCBS Elderly Waiver. The approximate cost would be \$114.00 per client per month, or an increase of \$34.68 per client per month. New state dollars are needed to make the federal match in the amount of 3 million dollars. Governor Vilsack has included this three million dollars in his FY 07 budget. This additional funding would increase the frequency of client contact, concentrate client

contact related to needs and services, enhance the focus on the prevention of existing problems and reduce their escalation and provide for increased operational support. The additional funding would also begin covering the cost of the donated costs and services, thereby creating a sustainable system as reliance on donated costs and services has begun to erode the foundation of the CMPFE program.

### LEGISLATORS HAVE A DECISION TO MAKE

Governor Vilsack supports frail and vulnerable seniors remaining in their own homes and communities and maximizing opportunities to draw down federal matching dollars that strengthen Iowa's Aging Network.

The issues are complex, and DEA has boiled this down to the basics:

Legislators have to decide if they want to strengthen an existing program that better meets the needs of older Iowan's and maximizes federal matching dollars or if they want to leave the system as it is, which will mean fewer frail and vulnerable older Iowans will be able to access the services that keep them independent and in their own homes.

### Call to Action

– Next page!



## CALL TO ACTION!

*Now*, is the time to let your representative in Iowa's House of Representatives know what you want. Not only should you contact your elected officials in the House, but also House Leadership, committee chairs and ranking members. If you don't know who your representative is, you can find out by going to [www.legis.state.ia.us/FindLeg/](http://www.legis.state.ia.us/FindLeg/). If this request is not included in the House budget, it will be increasingly difficult to add it on the senate side. Expect the House budget to be released in mid to late February.

## House Leadership

### Representatives:

Christopher Rants  
Speaker  
515-281-5566  
[christopher.rants@legis.state.ia.us](mailto:christopher.rants@legis.state.ia.us)

Danny Carroll  
Speaker Pro Tempore  
[danny.carroll@legis.state.ia.us](mailto:danny.carroll@legis.state.ia.us)

Chuck Gipp  
Majority Leader  
515-281-3054  
[chuck.gipp@legis.state.ia.us](mailto:chuck.gipp@legis.state.ia.us)

Libby Jacobs  
Majority Whip  
[libby.jacobs@legis.state.ia.us](mailto:libby.jacobs@legis.state.ia.us)

Carmine Boal  
Assistant Majority Leader  
[carmine.boal@legis.state.ia.us](mailto:carmine.boal@legis.state.ia.us)

Cecil Dolecheck  
Assistant Majority Leader  
[cecil.dolecheck@legis.state.ia.us](mailto:cecil.dolecheck@legis.state.ia.us)

Steven Olson  
Assistant Majority Leader  
[steven.olson@legis.state.ia.us](mailto:steven.olson@legis.state.ia.us)

Rod Roberts  
Assistant Majority Leader  
[rod.roberts@legis.state.ia.us](mailto:rod.roberts@legis.state.ia.us)

Pat Murphy  
Minority Leader  
515-281-3521  
[pat.murphy@legis.state.ia.us](mailto:pat.murphy@legis.state.ia.us)

Polly Bukta  
Assistant Minority Leader  
[polly.bukta@legis.state.ia.us](mailto:polly.bukta@legis.state.ia.us)

Lisa Heddens  
Assistant Minority Leader  
[lisa.heddens@legis.state.ia.us](mailto:lisa.heddens@legis.state.ia.us)

Helen Miller  
Assistant Minority Leader  
[helen.miller@legis.state.ia.us](mailto:helen.miller@legis.state.ia.us)

Mike Reasoner  
Assistant Minority Leader  
[mike.reasoner@legis.state.ia.us](mailto:mike.reasoner@legis.state.ia.us)

John Whitaker  
Assistant Minority Leader  
[john.whitaker@legis.state.ia.us](mailto:john.whitaker@legis.state.ia.us)

Caring for an Older Iowan? Bookmark the Iowa Family Caregiver website: [www.iowafamilycaregiver.org/](http://www.iowafamilycaregiver.org/)



## More Contact Info:

### Senate Switchboard:

515-281-3371

### House Switchboard:

515-281-3221

### Mailing Address:

State Capitol  
Des Moines, IA 50319

### Office of the

### Governor and Lt. Governor

State Capitol  
Des Moines, IA 50319  
515-281-5211

## House Health and Human Service Appropriations Subcommittee

### Representatives:

Dave Heaton (C)  
[dave.heaton@legis.state.ia.us](mailto:dave.heaton@legis.state.ia.us)  
Polly Granzow (vice)  
[polly.granzow@legis.state.ia.us](mailto:polly.granzow@legis.state.ia.us)  
Ro Foege (ranking)  
[ro.foege@legis.state.ia.us](mailto:ro.foege@legis.state.ia.us)  
Deborah Berry  
[deborah.berry@legis.state.ia.us](mailto:deborah.berry@legis.state.ia.us)

Jim Kurtenbach  
[jim.kurtenbach@legis.state.ia.us](mailto:jim.kurtenbach@legis.state.ia.us)  
Mary Mascher  
[mary.mascher@legis.state.ia.us](mailto:mary.mascher@legis.state.ia.us)  
Mark Smith  
[mark.smith@legis.state.ia.us](mailto:mark.smith@legis.state.ia.us)  
Linda Upmeyer  
[linda.upmeyer@legis.state.ia.us](mailto:linda.upmeyer@legis.state.ia.us)  
Paul Wilderdyke  
[paul.wilderdyke@legis.state.ia.us](mailto:paul.wilderdyke@legis.state.ia.us)

## House Human Resources Standing Committee

### Representatives:

Linda Upmeyer (C)  
[linda.upmeyer@legis.state.ia.us](mailto:linda.upmeyer@legis.state.ia.us)  
Paul Wilderdyke (vice)  
[paul.wilderdyke@legis.state.ia.us](mailto:paul.wilderdyke@legis.state.ia.us)  
Mark Smith (ranking)  
[mark.smith@legis.state.ia.us](mailto:mark.smith@legis.state.ia.us)  
Deborah Berry  
[deborah.berry@legis.state.ia.us](mailto:deborah.berry@legis.state.ia.us)  
Danny Carroll  
[danny.carroll@legis.state.ia.us](mailto:danny.carroll@legis.state.ia.us)  
Ro Foege  
[ro.foege@legis.state.ia.us](mailto:ro.foege@legis.state.ia.us)  
Wayne Ford  
[wayne.ford@legis.state.ia.us](mailto:wayne.ford@legis.state.ia.us)  
Mary Lou Freeman  
[mary.freeman@legis.state.ia.us](mailto:mary.freeman@legis.state.ia.us)  
Polly Granzow  
[polly.granzow@legis.state.ia.us](mailto:polly.granzow@legis.state.ia.us)  
Dave Heaton  
[dave.heaton@legis.state.ia.us](mailto:dave.heaton@legis.state.ia.us)

Lisa Heddens  
[lisa.heddens@legis.state.ia.us](mailto:lisa.heddens@legis.state.ia.us)  
Bruce Hunter  
[bruce.hunter@legis.state.ia.us](mailto:bruce.hunter@legis.state.ia.us)  
Joe Hutter  
[joe.hutter@legis.state.ia.us](mailto:joe.hutter@legis.state.ia.us)  
David Jacoby  
[david.jacoby@legis.state.ia.us](mailto:david.jacoby@legis.state.ia.us)  
Jim Kurtenbach  
[jim.kurtenbach@legis.state.ia.us](mailto:jim.kurtenbach@legis.state.ia.us)  
Steven Lukan  
[steven.lukan@legis.state.ia.us](mailto:steven.lukan@legis.state.ia.us)  
Janet Petersen  
[janet.petersen@legis.state.ia.us](mailto:janet.petersen@legis.state.ia.us)  
Rod Roberts  
[rod.roberts@legis.state.ia.us](mailto:rod.roberts@legis.state.ia.us)  
Walt Tomenga  
[walt.tomenga@legis.state.ia.us](mailto:walt.tomenga@legis.state.ia.us)  
Jodi Tymeson  
[jodi.tymeson@legis.state.ia.us](mailto:jodi.tymeson@legis.state.ia.us)  
Roger Wendt  
[roger.wendt@legis.state.ia.us](mailto:roger.wendt@legis.state.ia.us)



## Winning Compliance

The Governor has included in the DEA budget \$62,500 for consumer education related to assisted living, adult day services and elder group homes.

### What is it?

Implementation of the “Winning Compliance” strategy will focus resources on providing to consumers information related to adult day programs, assisted living programs and elder group homes. The information provided will be accurate and easily understood by Iowa’s elders, their families and other stakeholder in Iowa’s long-term care system.

Public policy has been and will continue to evolve regarding Iowa’s adult day service, assisted living and elder group home industries. While the concept of shared risk has been utilized for a number of years, it was formalized in 2003 statutory changes. Changes were again made to Iowa’s administrative code in 2004 and again to Iowa Code in 2005.

### Objectives include:

The experience of the department has been that consumers are often uninformed and confused in a number of areas related to adult day services, assisted living and elder group homes. The objective of this budget offer is to educate elder Iowans, their families and others in:

1. Understanding that regulation in HCBS settings places responsibility on both the consumers and providers.
2. Understanding and negotiating occupancy/written agreements.
3. Understanding managed risk agreements.
4. Understanding the application of tenant landlord law and its impact on the tenant.
5. Understanding staffing requirements.
6. Understanding the scope of services each type of product provides and how each product may fit into a long-term care plan.
7. Understanding tenant/participant rights in the event of an involuntary discharge.
8. Understanding how to access specific code and administrative rule requirements.
9. Understanding which executive branch agencies has responsibility for policy, enforcement, life safety and Medicaid.
10. Understanding how to access services.

## In the Legislature

### Bills the Department is monitoring

#### New this week:

[HF 2081](#) **Military Property Tax Credit** An Act relating to the eligibility for the military service property tax credit and exemption and including effective and applicability date provisions. *By: Dix et al.* (House Veterans Affairs) Committee Members: Paulsen (C), Hutter, and Whitead *Companion to [SF 2008](#)*

[HF 2087](#) **Electronic Prescriptions** A bill for an act relating to the requirements for electronic prescriptions issued by practitioners and filled by pharmacies. *By: Heaton* (House Human Resources) Committee Members: Tomenga (C), Jacoby, and Wilderdyke

[HF 2088](#) **Income Exemption** A bill for an act exempting active duty pay of members of the armed forces, armed forces military reserve, and national guard and including a retroactive applicability date provision. *By: Kurtenbach et al.* (House Veterans Affairs) Committee Members: Kaufmann, Paulsen, and D. Taylor

[HF 2089](#) **Mobile Treatment Team** A bill for an act relating to adult persons with mental retardation or other developmental disabilities who pose a severe and persistent threat to themselves or others by

authorizing the creation of an expert mobile team and specialized treatment unit, establishing a commitment process for placements in the specialized unit, and including a contingent effective date. *By: Heaton* (House Human Resources) Committee Members: Heaton (C), Roberts, and Smith

[HF 2106](#) **MHMRDD Services A** bill for an act relating to the allowed growth factor adjustment funding for county mental health, mental retardation, and developmental disabilities services funds and including effective date and retroactive applicability provisions. *By: Carroll* (House Human Resources)

[HF 2111](#) **Dependant Adult Abuse Investigation** A bill for an act relating to dependent adult abuse investigations, findings, and appeals. *By: Bell* (House Judiciary)

[HF 2113](#) **Long Term Care Standards** A bill for an act relating to performance and disclosure standards for long-term care insurance. *By: Swaim & Gaskill* (House Commerce, Regulation, and Labor)

For more information,  
the Iowa Legislature  
General Assembly  
homepage is  
[www.legis.state.ia.us](http://www.legis.state.ia.us)

[HF 2115](#) **Suicide Prevention** A bill for an act providing for the establishment of an office of suicide prevention within the Iowa department of public health, and making an appropriation. *By: Lensing* (House Human Resources) Committee Members: *Companion to [SF 2034](#)*

[HF 2126](#) **Health Insurance Policies** A bill for an act requiring certain health insurance policies to provide coverage for colorectal and prostate cancer screening under some circumstances and providing an applicability date. *By: Foege* (House Commerce, Regulation, and Labor)

[HF 2128](#) **Social Security Numbers** A bill for an act relating to the privacy of social security numbers in public records and creating the Iowa public records privacy commission. *By: Gaskill et al.* (House State Government)

[HF 2130](#) **State Agency Records** An Act relating to the destruction of state agency records and providing for a penalty. *By: Hutter* (House State Government)

[HF 2145](#) **Food Establishment Reinspection Fees** A bill for an act providing for the imposition of food establishment reinspection fees, and making penalties applicable. *By: Upmeyer* (House Human Resources)

[HF 2146](#) **Preadmission Screening** A bill for an act relating to requirements for preadmission

screening for long-term care services under the medical assistance program. *By: Upmeyer* (House Human Resources)

[HF 2147](#) **Temporary Conservators** A bill for an act relating to the temporary appointment of a conservator for a dependent adult in an emergency situation. *By: Huser, Swaim, Gaskill and Petersen* (House Judiciary)

[HF 2148](#) **Directed Attendant Skills** A bill for an act relating to requirements for consumer-directed attendant care provided under a medical assistance home and community-based services waiver. *By: Upmeyer* (House Human Resources)

[HSB 559](#) **Dependant Adult Abuse** An Act relating to dependent adult abuse including the confidentiality of and access to dependent adult abuse information. *By: DHS*

[HSB 573](#) **Veterans Cemetary** An Act making an annual appropriation to the department of veterans affairs for the state veterans cemetery *By: Dept. of Veterans Affairs*

[HSB 574](#) **Veterans Health Care Facility** An Act relating to the process utilized in assessing residents of health care facilities for veterans program benefits *By: Dept. of Veterans Affairs*

[HSB 583](#) **Nutrition and Exercise Grant Program** An Act providing for the establishment of a nutrition and physical activity community obesity prevention grant program, and providing a contingent effective date. *By: DPH*

[HSB 584](#) **Medicaid Issues** An Act relating to the medical assistance program, including eligibility requirements for adults and provider overpayment rate adjustments *By: DHS*

[SF 2062](#) **Senior Living Trust Appropriations** A bill for an act relating to the senior living trust fund and providing for appropriation of the moneys in the fund. *By: Bolkcom et al.* (Senate Appropriations)

[SF 2067](#) **Minimum Wage** A bill for an act increasing the state minimum hourly wage rate requirement. *By: Dotzler et al.* (Behn & Dotzler (C), Courtney, and Seymour)

[SF 2068](#) **Medicaid Reimbursement** A bill for an act relating to services for which reimbursement may be provided under a medical assistance home and community-based services waiver for the elderly. *By: Bolkcom et al.* (Senate Human Resources) Committee Members: Quirnbach & Seymour (C), Bolkcom, and Houser *Companion to LSB 5742HH*

[SF 2070](#) **LIHEAP Supplemental A** bill for an act providing a supplemental appropriation for the low-income home energy assistance program, and including an effective date. *By: Hatch et al.* (Senate Appropriations)

[SF 2073](#) **Temporary Conservator** A bill for an act relating to the temporary appointment of a conservator for a dependent adult in an emergency situation. *By: Bolkcom* (Senate Human Resources) Committee Members: Behn & Quimbach (C), Boettger, and Wood

[SF 2074](#) **Medicaid and Medicare Services Waiver** A bill for an act relating to Medicaid reform through the use of managed care and opt-out provisions. *By: Miller* (Senate Human Resources) Committee Members: Kreiman & Seymour (C), Gaskill, and Quirnbach

[SF 2081](#) **Veterans Cemetery** A bill for an act providing an annual appropriation to the department of veterans affairs for the state veterans cemetery. *By: Stewert* (Senate Appropriations)

[SSB 3035](#) **DHS Technical Bill** An Act relating to department of human services' technical requirements involving individual development accounts, family investment program limited benefit plans, paternity establishment definitions, and the state child care assistance program, and including effective date and retroactive applicability provisions. *By: DHS*

[SSB 3038](#) **Consumer Choice** An Act relating to the creation of a consumer choice, support, and education program. *By: Governor Bill*

[SSB 3041](#) **Governor Senior Living Trust** An Act relating to and making appropriations to the department of human services, the department of elder affairs, the Iowa department of public health, the department of veterans affairs and the Iowa veterans home, and the department of inspections and appeals, providing for fee increases, and including other related provisions and appropriations, and providing effective dates. *By: Governor's Budget Bill*

**Bills from previous issues:**

[HF 116](#) **Senior Deer Hunters** A bill for an act allowing certain senior residents to hunt deer during the youth and severely disabled deer hunting season. *By: Struyk, Mertz, Dandekar, Lukan* (House Natural Resources Committee) Committee Members: Van Engelenhoven (C), Whitead, Wilderdyke

[HF 833](#) **Pharmacy Bill** A bill for an act making changes relating to the practice of pharmacy, providing for the creation of an electronic drug database, establishing and appropriating fees, providing penalties, and providing an effective date. *By: Ways and Means* (Senate Ways and Means) Committee Members: Danielson and Larson (C), McCoy, and Zaun

[HF 851](#) **Death Certificates** A bill for an act relating to fees imposed for certified copies of death certificates. *By: Ways and Means* (Ways & Means) Committee Members: Tomenga (C), Boal, Davitt *successor to* [HF 455](#)

[HF 852](#) **Inheritance Tax Credit A** bill for an act relating to an inheritance tax credit for transferring a portion of an inheritance to an entity for capital investment, programming, including education, performance, and access, in arts and culture and providing a penalty. *By: Ways and Means* (Ways and Means) Committee Members: Soderberg (C), Lalk, Schueller (*Formerly* [HF 795](#)) (*Formerly* [HF 297](#))

[HF 2002](#) **Senior Living Trust Fund** A bill for an act increasing the standing amount required to be appropriated, reverted, or transferred to the credit of the senior living trust fund and including effective and retroactive applicability date provisions. *By: Raecker and Kuhn* (Appropriations) Committee Members: Heaton, Kuhn, and Raecker

[HF 2010](#) **Substitute Decision Makers** A bill for an act relating to and making an appropriation for the office of substitute decision maker under the department of elder affairs. *By: Smith* (Human Resources)

[HF 2018](#) **Personal Needs Allowance** A bill for an act relating to an increase in the personal needs allowance for residents of nursing facilities under the medical assistance program. *By: Gaskill and Swaim* (Human Resources)

[HF 2021](#) **MR Case Payments** A bill for an act relating to the costs of services provided to persons with mental retardation whose service costs are a state responsibility. *By: Heddens* (Human Resources)

[HF 2022](#) **Cigarette Taxes** A bill for an act increasing the taxes imposed on cigarettes and tobacco products and providing for deposit of the increased revenue generated in the senior living trust fund, and providing an applicability date and an effective date. *By: Tomenga and Olson R.* (Ways and Means)

[HF 2026](#) **Non-Profit Tax Exemption** A bill for an act relating to the property tax exemption for certain dwelling units owned by a nonprofit organization and providing a retroactive applicability date. *By: Paulsen* (Ways and Means)

[HF 2028](#) **Veteran Status** A bill for an act specifying the time period within which the Iowa department of veterans affairs shall comply with a request for veteran status from a health care facility. *By: D Olson* (Veteran Affairs) Committee Members: May (C), Tymeson, Wendt

[HF 2039](#) **Elder Fishers** A bill for an act allowing fishing without a license for certain persons who fish in a supervised group. *By: Bell and Huser* (Natural Resources) Committee Members: Lukan, Bell, and May **FM: Lukan**

[HF 2040](#) **Medicaid Inflation Factor** A bill for an act relating to services reimbursed under a medical assistance home and community-

based services waiver for the elderly. *By: Swaim and Gaskill* (Human Resources)

[HF 2045](#) **SS-Pension Income Phase Out** A bill for an act phasing out the state income tax on social security benefits and on pension and retirement income and including effective and applicability date provisions. *By: Ways and Means* Committee Members: **Floor Manager: Boal; Amendment [H-8001](#) and [H-8004](#) filed** (*Formerly [HSB 502](#)*)

[HF 2049](#) **Senior Property Tax Freeze** A bill for an act relating to the reduction in the assessed values of homesteads of persons sixty-five years of age or older below a specified income level, providing a penalty, and including applicability date provisions. *By: Butka* (Ways and Means)

[HF 2055](#) **Long Term Care Deduction** A bill for an act relating to an income tax deduction for costs of long-term care insurance contracts and including an effective and retroactive applicability date provision. *By: Frevert* (Human Resources)

[HF 2057](#) **Personal Needs Allowance** A bill for an act relating to the personal needs allowance amount for residents of nursing facilities under the medical assistance program. *By: Kaufmann et al.* (Human Resources) Committee Members: Granzow (C), Tomenga, Wendt

**[HF 2060](#) Personal Needs Allowance**

A bill for an act relating to the personal needs allowance for residents of nursing facilities. *By: Huser et al.* (Human Resources) Committee Members: *Companion to LSB 5740SS*

**[HF 2062](#) Medicaid Inflation Factor**

A bill for an act relating to services for which reimbursement may be provided under a medical assistance home and community-based services waiver for the elderly. *By: Huser et al.* (Human Resources)

**[HF 2063](#) Fundraising** A bill for an act relating to fundraising activities conducted for a group or organization of public officials or public employees and making penalties applicable. *By: Ford* (State Government) Committee Members: Hutter, Boal, and Ford

**[HF 2064](#) Long Term Care** A bill for an act relating to standardized requirements for long-term care insurance policies. *By: Huser & Peters* (Commerce, Regulations & Labor) Committee Members: *Companion to LSB 5741SS*

**[HF 2066](#) Involuntary Commitments**

A bill for an act relating to the time period for holding involuntary hospitalization hearings for chronic substance abusers and mentally ill persons. *By: Petersen* (Judiciary) Committee Members: Tymeson (C), Foege, Hutter

**[HF 2068](#) Senior Living Trust Fund**

A bill for an act relating to the senior living trust fund and providing for appropriation of the moneys in the

fund. *By: Huser et al.* (Human Resources)

**[HF 2071](#) Burial Sites** A bill for an act relating to access to certain burial sites located on private property. *By: Swaim* (Local Government)

**[SF 341](#) Long-term Living System**

A bill for an act relating to the long-term living system in Iowa including establishment of the intent for Iowa's long-term living system. *By: Human Resources Formerly [SSB 1272](#)*

**[SF 355](#) Medicare Part D Task Force** A bill for an act relating to the creation of a task force to provide for the implementation of Medicare Part D and providing an effective date. *By: Human Resources* Committee Members: *Formerly [SSB 1204](#)*

**[SF 416](#) Cigarette Tax and Property Tax** A bill for an act relating to additional educational funding by increasing the state regular program foundation base per pupil, by modifying the community college operations levy, creating local workforce and economic development funds for community colleges, increasing the state cigarette tax, modifying an appropriation, and including effective and applicability date provisions. *By: Ways and Means* (House Ways and Means) Committee Members: Van Fossen (C), Kurtenbach, Shomshor *Formerly [SSB 1322](#)*

[SF 2008](#) **Cemetary Access** A bill for an act relating to access to certain burial sites located on private property. *By: Kreiman* (Local Government) Committee Members: Kreiman & Mulder (C), Stewart, and Zaun

[SF 2031](#) **Grandparent Visitation** A bill for an act relating to grandparent and great-grandparent visitation. *By: Ragan et al.* (Human Resources) Committee Members: Ragan & Seymour (C), Kreiman, and Tinsman

[SF 2034](#) **Suicide Prevention Office** A bill for an act providing for the establishment of an office of suicide prevention within the Iowa department of public health, and making an appropriation. *By: Ragan & Bolkcom* (Appropriations)

[SF 2036](#) **Veterans Programs Appropriations** A bill for an act revising and making appropriations involving veterans programs for the fiscal year beginning July 1, 2005, and providing an effective date. *By: Appropriations* (Senate Appropriations) Committee Members: **withdrawn** [HF 2080](#) *substituted*

[SF 2037](#) **Military Pension Exemption** A bill for an act exempting military duty compensation, benefits, allowances, and retirement pay received from the federal government by members of the armed forces from the individual income tax and including a retroactive applicability date provision. *By: Miller* (Ways & Means) Committee Members: Danielson & Zaun (C), Dotzler, Zieman

[SF 2038](#) **Disabled Veterans Homestead** A bill for an act relating to an additional homestead credit for disabled veterans and including an effective date. *By: Lamberti* (Ways & Means) Committee Members: Dotzler & McKibben (C), Danielson, Zaun

[SF 2040](#) **Long-term Care Credit** A bill for an act relating to a long-term care insurance tax credit under the individual income tax and including a retroactive applicability date provision. *By: Miller* (Ways & Means) Committee Members: Connolly & Wieck (C), Stewart, Zaun

[SF 2044](#) **Pension Income Phase Out** A bill for an act phasing out the state income tax on social security benefits and on pension and retirement income and including effective and applicability date provisions. *By: Tinsman et al.* (Ways & Means) Committee Members: Connolly & McKibben (C), Bolkcom, Zieman *Companion to* [HF 2045](#)

[SF 2048](#) **Personal Needs Allowance** A bill for an act relating to the personal needs allowance for residents of nursing facilities. *By: Bolkcom et al.* (Human Resources) Committee Members: Bolkcom & Johnson (C), Ragan, and Seymour

[SF 2058](#) **Long Term Care Insurance** A bill for an act relating to standardized requirements for long-term care insurance policies. *By: Bolkcom et al.* (Commerce)

**SF 2059 Health Care Whistle**

**Blower** A bill for an act providing a prohibition against reprisals relating to health care workers disclosing specified information, and providing penalties. *By: Bolkcom et al.* (Human Resources) Committee Members: Boettger & Quirnbach (C), Bolkcom, and Houser

**SSB 3010 Medical Assistance**

**Program** An Act relating to the medical assistance program, including eligibility requirements for adults and provider overpayment rate adjustments. *By: DHS* (Human Resources) Committee Members: Seymour & Hatch (C), Behn, Woods

**SSB 3014 Dependant Adults** An Act relating to dependant adult abuse including the confidentiality of and access to dependent adult abuse information. *By: DHS* (Human Resources) Committee Members: Kreiman & Houser (C), Bolkcom, Tinsman

**SSB 3019 Identity Theft** An Act relating to offenses against identity requiring notice of breach of security of computer data containing personal information, and providing a procedure to secure credit information and providing a penalty. *By: Attorney General*

**Hot Off the Press:**

*Senior Living Coordinating Unit Annual Report*

[www.state.ia.us/elderaffairs/Documents/SLCU/SLCU-AnnualReport2005.pdf](http://www.state.ia.us/elderaffairs/Documents/SLCU/SLCU-AnnualReport2005.pdf)

*A Long Range Plan for Long-Term Care in Iowa*

[www.state.ia.us/elderaffairs/Documents/SLCU/LongRangePlanReport.pdf](http://www.state.ia.us/elderaffairs/Documents/SLCU/LongRangePlanReport.pdf)

*Long Term Care Ombudsman Annual Report*

[www.state.ia.us/elderaffairs/Documents/Reports/Ombudsman2005AnnualReport.pdf](http://www.state.ia.us/elderaffairs/Documents/Reports/Ombudsman2005AnnualReport.pdf)

## Iowa Department of Elder Affairs

Jessie Parker Building  
510 East 12<sup>th</sup> St, Ste 2  
Des Moines, IA 50319

PHONE:

515-725-3333  
800-532-3213

FAX:

515-725-3300



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*If you are interested in receiving or discontinuing the legislative updates, contact Erin Haafke by email at [erin.haafke@iowa.gov](mailto:erin.haafke@iowa.gov).*

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### Our Mission:

To provide advocacy, educational, and prevention services to older Iowans so they can find Iowa a healthy, safe, productive, and enjoyable place to live and work.